

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 15-21 are pending in this application. Claims 1-14 are canceled by the present response without prejudice.

Claims 15-21 were rejected under 35 U.S.C. § 112, second paragraph. Claims 1-4, 7, 8, and 11-13 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. patent 6,675,166 to Bova. Claims 5 and 14 were rejected under 35 U.S.C. § 103(a) as unpatentable over Bova in view of U.S. patent 6,345,278 to Hitchcock et al. (herein "Hitchcock"). Claims 6, 9, and 10 were rejected under 35 U.S.C. § 103(a) as unpatentable over Bova in view of U.S. patent 5,434,971 to Lysakowski, Jr. (herein "Lysakowski"). Claims 15-21 were rejected under 35 U.S.C. § 103(a) as unpatentable over Bova in view of U.S. patent 5,930,791 to Leu, U.S. patent 6,353,878 to Dunham, and U.S. patent 5,742,807 to Masinter.

Addressing first the rejection of claims 15-21 under 35 U.S.C. § 112, second paragraph, that rejection is traversed by the present response as applicants respectfully submit the claim language is clear.

Claim 15 was rejected to as "it is unclear whether the data from the second storage device is transferred to the first storage device". In that respect applicants respectfully submit claim 15 is clear that information stored in the first storage device can be backed up into a second storage device, and then if necessary the backed up information in the second storage device can be restored into the first storage device.

In such ways, the claim language is clear that data from the second storage device can be transferred to the first storage device to restore information in the first storage device as needed.

Thereby, claims 15-21 are believed to be in full compliance with all requirements under 35 U.S.C. § 112, second paragraph.

Addressing now the rejection to claims 1-4, 7, 8, and 11-13 under 35 U.S.C. § 102(e) as anticipated by Bova, the rejection to claims 5 and 14 under 35 U.S.C. § 103(a) as unpatentable over Bova in view of Hitchcock, and the rejection of claims 6, 9, and 10 under 35 U.S.C. § 103(a) as unpatentable over Bova in view of Lysakowski, those rejections are obviated by the present response as each of claims 1-14 is canceled by the present response without prejudice.

Addressing now the rejection of claims 15-21 under 35 U.S.C. § 103(a) as unpatentable over Bova in view of Leu, Dunham, and Masinter, that rejection is traversed by the present response.

Initially, applicants note independent claim 15 is amended by the present response to clarify the form of each backed up piece of information. Specifically, claim 15 now recites:

wherein each backed up piece of information is provided with tag information identifying analyzing device and correction information, the correction information being for use in correcting a measurement result in the analyzing unit.

That claim feature is believed to be clear from the original specification for example at page 11, lines 15-19. Further, that claim feature is believed to clearly distinguish over the applied art. More particularly, applicants respectfully submit none of the cited art to Bova, Leu, Dunham, or Masinter meets the above-noted limitation of the backed up piece of information.

Applicants also note that with respect to the previously recited “backed up piece of information” the outstanding Office Action cites Dunham in Figure 8, element 133 and at column 16, lines 5-25.<sup>1</sup>

In that respect applicants first note claim 15 is amended by the present response to no longer recite time stamp information as being part of the backed up piece of information, which further distinguishes over the teachings in Dunham. Further, Dunham does not teach

---

<sup>1</sup> Office Action of December 22, 2004, bottom of page 7.

or suggest the use of "tag information identifying analyzing device and correction information, the correction information being for use in correcting a measurement result in the analyzing unit".

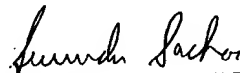
Thus, the relied upon teachings in Dunham do not correspond to the "backed up piece of information" as clarified in independent claim 15, and thereby the claims dependent therefrom.

In such ways, applicants respectfully submit independent claim 15, and claims 16-21 dependent therefrom, distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

Eckhard H. Kuesters  
Registration No. 28,870

Surinder Sachar  
Registration No. 34,423  
Attorneys of Record

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)  
I:\ATTY\SNS\205427US-AM.DOC